

POWELL, GOLDSTEIN, FRAZER & MURPHY LLP

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Dec 1 3 35 PM '97  
PLEASE RESPOND: Washington Address

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December 1, 1997

**VIA HAND DELIVERY**

Kamau Philbert, Esquire  
Office of General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

Re: MURs 4322 and 4650 -- Huckaby & Associates

Dear Mr. Philbert:

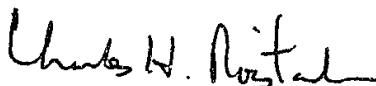
On November 21, 1997, you requested that we provide you with the date the Enid '94 committee retained the FEC accounting firm of Huckaby & Associates. Attached please find (1) an unexecuted contract between Huckaby & Associates and Enid '94 dated July 14, 1994, and (2) a letter from the firm of Murphy, McGettigan, Richards & West, P.C., representing Huckaby & Associates, to Michael Chanin of our firm indicating that Huckaby & Associates was hired on or about July 13 or 14, 1994 by Enid '94 through its then-Treasurer, Joseph P. Waldholtz. We were unable to locate an executed copy of the contract between Huckaby & Associates and Enid '94. Presumably, it was one of the many Enid '94 committee documents destroyed by Joseph P. Waldholtz.

While the written contract between Huckaby & Associates and Enid '94 may have been signed on or about July 14, it is our firm belief that Huckaby & Associates was actually retained by Enid '94 in mid-June of 1994. As you may recall, former Representative Enid Greene testified during her deposition that Huckaby & Associates was retained a few days after KayLin Loveland expressed concerns over Joseph P. Waldholtz's preparation of the Enid '94 FEC reports. Those concerns were expressed in a memorandum dated June 14. Moreover, FEC records indicate that Huckaby & Associates had to have worked with Joseph P. Waldholtz for several weeks prior to the date of the formal contract in order to prepare the Enid '94 July 15 Quarterly Report. (Compare the Enid '94 April 15 Quarterly Report, which was handwritten, with the Enid '94 July 15 Quarterly Report, which appears to have been generated by the "Winning Ticket" software referenced in the July 14, 1994 contract). We believe that it would


Kamau Philbert, Esquire  
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have been impossible for Huckaby & Associates to be retained on July 14, and then to have prepared the Enid '94 July 15 Quarterly Report for filing on July 15, 1994 unless they were working with Joseph P. Waldholtz for at least several weeks prior to July 15.

Sincerely,



Charles H. Roistacher



Brett G. Kappel

For Powell, Goldstein, Frazer & Murphy LLP  
Counsel to D. Forrest Greene, Enid Greene, Enid '94 and Enid '96

Attachments

cc: D. Forrest Greene  
Enid Greene

# HUCKABY AND ASSOCIATES

*Political Financial Consulting*

July 14, 1994

This letter will serve as a contractual agreement between Huckaby & Associates (H&A) and Enid '94.

H&A will be responsible for maintaining all records related to receipts and disbursements. Enid '94 will collect, copy and deposit all contributions. Enid '94 will provide H&A with copies of these contributions and their supporting documentation (contributor cards), grouped in deposit batches along with a copy of the deposit slip. H&A will also receive copies of all bank receipts and bank statements. Enid '94 will issue all disbursements and provide copies of the checks issued, along with copies of the supporting invoices, to H&A. H&A will then enter all receipts and disbursements into "Winning Ticket," a computer software package to be provided by Enid '94.

H&A will obtain any additional contributor information required to ensure that all contributions are in compliance with the Federal Election Campaign Act, as amended.

H&A will balance and reconcile all bank accounts.

H&A will produce and review all FEC reports due during the remainder of 1994 (and on January 31, 1995). These reports will be sent to the Treasurer of Enid '94 for approval and signature, then submitted in compliance with the Federal Election Campaign Act, as amended.

H&A will be available for unlimited telephone calls for consultation from Enid '94 staff with regard to questions concerning compliance with the Federal Election Campaign Act, as amended.

The rate for these services will be \$3,000 per month, plus office and telephone toll expenses incurred by H&A in fulfillment of its contract obligations. The period of time for these services will extend from the date of agreement through January 31, 1995. For the month of July 1994, H&A will bill Enid '94 at an hourly rate of \$150 per hour for Keith Davis and/or \$125 per hour for Lisa Lisker.

In addition, H&A will be available for on-site visits to Enid '94 headquarters in Salt Lake City, as such visits are determined by H&A and Enid '94 to be required. On-site visits will be charged at the hourly rate of \$150 per hour for Keith Davis or \$125 per hour for Lisa Lisker, plus reasonable out-of-pocket travel expenses.

Signed: \_\_\_\_\_  
Huckaby & Associates

Signed: \_\_\_\_\_  
Enid '94

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## LAW OFFICES

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 \*NOT ADMITTED IN D.C.  
 †ALSO ADMITTED IN MARYLAND  
 HOWARD W. SMITH, JR.  
 OF COUNSEL

December 6, 1995

VIA FACSIMILE AND FIRST CLASS MAIL

Michael H. Chanin, Esq.  
 Powell, Goldstein, Frazer & Murphy  
 1001 Pennsylvania Ave., NW, 6th Floor  
 Washington, DC 20004

Re: Enid '94, Enid '96 and Huckaby and Associates, Inc.

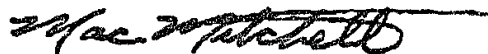
Dear Mike:

This letter will confirm my response by phone to your question of December 4. Huckaby and Associates, Inc. ("H&A") was hired on or about July 13 or 14, 1994 by Enid '94 through its Treasurer, Joseph Waldholtz.

In late June 1995, Keith Davis of H & A was contacted by Kate Watson to help her and Representative Enid Waldholtz respond to press inquiries about the Congresswoman's May 1994 and May 1995 personal financial disclosure statements.

On November 2, 1995, Harry Hoge of your firm retained H&A to work at its normal hourly rates for Powell Goldstein with respect to matters involving Representative Waldholtz, her campaign committees and Joseph Waldholtz. A little over three weeks later on November 28 you advised Keith Davis that due to anticipated conflicts, Powell Goldstein believed that H&A should no longer provide such services. Accordingly, and so that Representative Waldholtz will have adequate opportunity to make other arrangements, I am confirming that my client, H&A, will not be assisting the Treasurer of either Enid '94 or Enid '96 in preparing any FEC Report or any amendment thereto, nor will H&A be assisting Representative Waldholtz in the preparation of any personal financial disclosure statement or amendment thereto.

Very truly yours,



Malcolm M. Mitchell, Jr.

cc: Huckaby & Associates, Inc.

99-04-304-2561